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**IN THE UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

16
 17 Teva Pharmaceuticals USA, Inc.,

18 Plaintiff,

19 v.

20
 21 Corcept Therapeutics, Inc., and Optime Care
 22 Inc.,

23 Defendants.

24 Case No. 5:24-cv-03567-NW

25
**JOINT STIPULATION AND
 [PROPOSED] ORDER TO EXTEND
 CERTAIN DATES IN CASE
 SCHEDULE WHILE MAINTAINING
 TRIAL DATE**

26 Ctrm: 3 – 5th Floor
 Judge: Honorable Noël Wise

1 Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure, N.D. Cal. Civil Local Rules
2 6-2 and 16-2(d), Plaintiff Teva Pharmaceuticals USA, Inc. (“Teva”), Defendant Corcept Therapeutics,
3 Incorporated (“Corcept”), and Defendant Optime Care Inc. (“Optime”) (together “Parties”) hereby
4 stipulate to extend the case schedule as follows:

5 WHEREAS, this case was previously assigned to the Honorable Beth L. Freeman;

6 WHEREAS, the Parties appeared for an initial case management conference before Judge
7 Freeman on October 31, 2024;

8 WHEREAS, Judge Freeman on November 4, 2024 issued an initial case management order
9 that set a trial date of January 11, 2027 and directed the Parties to meet-and-confer regarding other
10 dates, such as “discovery cut-offs and expert disclosure deadlines” (Dkt. 63);

11 WHEREAS, the Parties—pursuant to Judge Freeman’s order—then submitted a proposed
12 schedule on November 15, 2024, which reflected the Parties’ largely-aligned proposal in view of the
13 information then available to the Parties;

14 WHEREAS, this case was subsequently reassigned to this Court on February 24, 2025 (Dkt.
15 81);

16 WHEREAS, on June 30, 2025, the Court then entered a case management order adopting the
17 dates that the Parties previously proposed, including: (a) a November 21, 2025 fact discovery cut-off;
18 (b) opening and rebuttal expert reports on January 9 and February 20, 2026; (c) an expert discovery
19 cut-off on March 27, 2026; (d) dispositive and *Daubert* motion briefing between May 15 and July 17,
20 2026, with a hearing to occur on August 12, 2026; and (e) pretrial statement, pretrial conference, and
21 trial dates between November 25, 2026 and January 11, 2027 (Dkt. 116);

22 WHEREAS, since the start of the discovery process, the Parties have been actively involved
23 in discovery and case management activities, including propounding and responding to written
24 discovery; negotiating the document custodians from whom responsive electronically stored
25 information (“ESI”) will be collected; collecting extensive ESI from those custodians and preparing
26 that ESI for review with the assistance of litigation support vendors and staff; negotiating the search
27 strings that will be applied across those custodians’ ESI to reasonably search for material in response
28 to each Party’s discovery requests; and reviewing and producing documents;

1 WHEREAS, the Parties respectfully request and require additional time to negotiate the scope
 2 of discovery, review and produce documents, disclose any opinion of counsel defense, conduct
 3 depositions, and complete expert reports;

4 WHEREAS, each Party agrees and submits that there is good cause to approve this stipulation
 5 as the Parties need further time for essential discovery activities—including making, reviewing, and
 6 receiving upcoming document productions, disclosing any opinion of counsel defense, scheduling
 7 depositions on dates agreeable to all Parties, and providing their experts sufficient time to analyze the
 8 discovery record and prepare expert reports—all without disadvantaging any Party or causing
 9 unreasonable delays in the litigation;

10 WHEREAS, in view of the Parties' agreement that more time for fact and expert discovery is
 11 warranted, the Parties further submit that an extension of the current deadline for private mediation
 12 (November 14, 2025) is also appropriate and more likely to result in more productive discussions;

13 WHEREAS, this is the first extension of the below deadlines which the Parties have sought
 14 since the commencement of this action;

15 WHEREAS, the proposed extensions will not affect the trial date in this action (including the
 16 dates for the Joint Pretrial Statement and Final Pretrial Conference);

17 WHEREAS, the Parties have met and conferred and have agreed to extend the case schedule
 18 as follows:

<u>Case Event</u>	<u>Current Date (Dkt. 116)</u>	<u>Proposed Date</u>
Disclosure of Opinion of Counsel Defenses	N/A	November 7, 2025
Substantially Complete Document Production	N/A	November 21, 2025
Deadline to Complete ADR: Private Mediation	November 14, 2025	February 20, 2026
Close of Fact Discovery	November 21, 2025	February 27, 2026
Opening Expert Reports [For issues which the Party bears the burden of proof]	January 9, 2026	April 3, 2026

<u>Case Event</u>	<u>Current Date (Dkt. 116)</u>	<u>Proposed Date</u>
Rebuttal Expert Reports	February 20, 2026	May 8, 2026
Reply Expert Reports	N/A	May 29, 2026
Close of Expert Discovery	March 27, 2026	June 26, 2026
Deadline to File Dispositive/ <i>Daubert</i> Motions	May 15, 2026	July 24, 2026
Oppositions for Dispositive/ <i>Daubert</i> Motions	June 19, 2026	August 21, 2026
Replies re Dispositive/ <i>Daubert</i> Motions	July 17, 2026	September 18, 2026
Hearing on Dispositive and <i>Daubert</i> Motions	August 12, 2026 at 9:00 a.m.	October 14, 2026
Deadline to File Joint Pretrial Statement	November 25, 2026	November 25, 2026
Final Pretrial Conference	December 9, 2026 at 2:00 p.m.	December 9, 2026 at 2:00 p.m.
Trial	January 11, 2027 at 9:00 a.m.	January 11, 2027 at 9:00 a.m.

NOW THEREFORE, the Parties hereby stipulate that the current case schedule (aside from the trial date and certain other pre-trial dates) be extended as set forth in the table above.

1 Dated: September 4, 2025

Respectfully submitted,

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3 By: /s/ Michael Shipley

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1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

2 Dated: _____

3 The Hon. Noël Wise
4 United States District Judge

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1 **FILER'S ATTESTATION**

2 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Michael Shipley, attest that
3 concurrence in the filing of this document has been obtained.

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5
6 */s/ Michael Shipley*
7 Michael Shipley
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on September 4, 2025, I caused to be filed the foregoing document with
3 the United States District Court for the Northern District of California using the CM/ECF system
4 and caused it to be served on all registered participants via notice of electronic filing.

5 _____
6 */s/ Michael Shipley*
7 Michael Shipley

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